

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DUPLICATE

OFFICE OF PETITIONS

Application of Plastina et al.
Serial No. 10/622,767
Filed: July 18, 2003
Entitled: ASSOCIATING IMAGE FILES WITH MEDIA CONTENT
Atty. Docket No.: MS#303015.01 (5052)

May 4, 2004

**PETITION TO ACCORD FILING DATE FOR EXPRESS MAIL
CORRESPONDENCE NOT RECEIVED BY U.S.P.T.O.
(37 C.F.R. §1.10(e))**

Director
U.S. Patent and Trademark Office
Mail Stop Duplicate
Crystal Plaza 2, Room 7D25
P.O. Box 1450
Alexandria, Virginia 22313-1450

1. Further to our letter of January 26, 2004, this is a Petition to accord the correspondence in the above-identified application a filing date of **July 18, 2003**, which is the date the correspondence was deposited with the United States Postal Service (U.S.P.S.) with proper postage. A postcard receipt was not received for this case.

2. Ms. Stokes of the United States Patent and Trademark Office provided us with the serial number during a telephone call on October 7, 2003 and confirmed the serial number on April 13, 2004. However, we have not received a filing receipt for this application.

* 3. Accordingly, we are now filing the enclosed Petition and duplicate copies of the correspondence.

* 4. The following attached papers are those required by 37 C.F.R. §1.10(e)(3) for this petition:

- ☒ A true copy of the originally-deposited paper(s) or fee(s) showing the number of the "Express Mail" mailing label placed thereon prior to the original mailing.

- ☐ A true copy of the returned Post Card showing receipt of these papers by the P.T.O.
- ☒ A true copy of the canceled check showing the date for the fee payment by this correspondence.
- ☐ A true copy of the deposit account statement showing the date for the fee payment by this correspondence.
- ☒ A true copy of the "Express Mail" mailing label showing the "date-in."
- ☐ A true copy of the Express Mail Log that came into being within one business day of the deposit of the correspondence in the "Express Mail Post Office to Address" service of the U.S.P.S.
- ☐ The log indicating that the correspondence was deposited prior to the last scheduled pickup for that day.
- ☐ Statement(s) from relevant U.S.P.S. official(s).
- ☐ Other

* and, also attached hereto, is a statement, signed by the person who deposited the documents as "Express Mail" with the U.S.P.S., setting forth the date and time of deposit.

5. Please send us a filing receipt for this application.

Respectfully submitted,



James J. Barta, Jr., Reg. No. 47,409
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400
Customer No.: 000321

JJB/kll

* Enclosures

01587

US APPLICATION

(391)

File MSF 5052 Attorney JB

Client Name _____

Application of Plastim et al.

Title Associating Image Filed With Media Context

Express Mail No. EL 739 384 504 US

(☒) Utility Application

(☒) Number of claims 4 1/2 (☒) Transmittal LTPTO



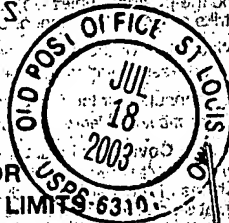

(☒) Sheets of drawings (☒) Fee Transmittal Form (in duplicate)

(☒) Total Pages of Application (☒) Combined Declaration/Power of Attorney

(☒) Abstract (☒) Filing Fee \$ 1498.00 (check enclosed)

(☒) Application Data Sheet (☐) Preliminary Amendment

(☒) Other Assignment US

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ORIGIN (POSTAL USE ONLY) PO ZIP Code <u>63169</u> Day of Delivery <u>Next</u> Flat Rate Envelope <input type="checkbox"/>		Postage \$ <u>27.30</u>		SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE		
Date In <u>7/18/03</u> Time In <u>10:20</u> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> Weight <u>4</u> lbs. <u>10</u> ozs.		Return Receipt Fee <input type="checkbox"/> COD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/>		<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if delivery of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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TO: (PLEASE PRINT) <u>mail Stop Patent Applications</u> <u>Commissioner for Patents</u> <u>1820 V 1450</u> <u>Alexandria, Virginia 22313</u>		FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com 				

PAY TO ORDER FOR

STATEMENT OF STEPHEN G. PAUTLER

I, Stephen G. Pautler, state as follows:

1. I am an employee of the law firm of Senniger, Powers, Leavitt and Roedel ("SPLR"), where I have been employed since 1998. My present position is Office Services Manager.
2. Part of my responsibilities at SPLR include the deposit of Express Mail envelopes in the United States Post Office. Every day at approximately 4:00 p.m. all Express Mails are taken to the United States Post Office. I give them to a postal employee who fills out the Express Mail receipt, including stamping the receipt with the date the Express Mail envelope is received by the United States Post Office, and returns it to me.
3. On information and belief, I deposited Express Mail Envelope Number EL 739384504 US in the United States Post Office on July 18, 2003 prior to 4:30 p.m., the latest time that the Post Office Branch accepts Express Mail deposits.
4. The copies of the correspondence, the copy of the "Express Mail" mailing label, and any official notation entered by the United States Postal Service enclosed herewith are true and correct copies of the originally mailed correspondence, original "Express Mail" mailing label, and official notation entered by the United States Postal Service from Express Mail Envelope Number EL 739384504 US. A postcard receipt was not received for this case.
5. All statements that I have made of my own knowledge are true and all statements made on information and belief are believed to be true. I am aware that willfully making false statements is punishable by fine, imprisonment, or both, under 18 U.S.C. §1001 and that willfully making such false statements may jeopardize the validity of any patent issuing from the above-referenced application.

Date: May 4, 2004

By: Stephen G. Pautler
Stephen G. Pautler

MISCELLANEOUS

(390)

File WFT 5052 Attorney JSB/K11

Client Name _____

Inventor(s) or Mark Plastina et al.

Serial No. 10/622,767 Patent/Reg. No. _____

The following has been received by the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment _____	<input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Combined Declaration/Power of Attorney
<input type="checkbox"/> Response to Missing Parts Notice	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> _____ Brief	<input type="checkbox"/> IDS, PTO/SB/08A, _____ Reference(s)
<input type="checkbox"/> Check \$ _____	<input type="checkbox"/> _____ Sheet(s) of Formal Drawing(s)
<input type="checkbox"/> Letter to Commissioner	<input type="checkbox"/> Letter to Official Draftsman
<input type="checkbox"/> RCE Transmittal	<input type="checkbox"/> Issue Fee/PTO-85b/Certificate of Mailing
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<input type="checkbox"/> Section _____ Declaration	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Other <u>Petition enc copies & filing correspondence</u>	<input type="checkbox"/> Extension of Time to Oppose
<input checked="" type="checkbox"/> Other <u>Statement</u>	

D107 Rec'd PCT/PTO 07 MAY 2004



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10/622,767